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GEI-078

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Michel Lanquetin, et al.
Serial No.: 09/646,763
Filed: October 24, 2000
For: TOPICAL... ACTION

: Group: 1617
:
: Examiner: Hui, San Ming R
:
:

Hedman and Costigan
1185 Avenue of the Americas
New York, NY 10036
March 18 2008

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of March 13, 2008 in the above application requesting an additional fee of \$590, the undersigned is submitting herewith PTO Form 2038 for \$590 for the additional extension fee and a copy of the Notice.

Respectfully submitted,



Charles A. Muserlian #19,683
Attorney for Applicants
Tel. 212 302 8989

CAM:mlp
Enclosures

03/19/2008 RFEKADUI 00000015 09646763

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NEW YORK, NY 10036

CHARLES A. MUSERLANI
Paper No.

MAR 17 2008**RECEIVED**

Application No.:	09/646,763	Date Mailed:	03/13/2008
First Named Inventor:	Lanquctin, Michel,	Examiner:	HUI, SAN MING R
Attorney Docket No.:	GEI-078	Art Unit:	1617
Confirmation No.:	8985	Filing Date:	10/24/2000

Please find attached an Office communication concerning this application or proceeding.

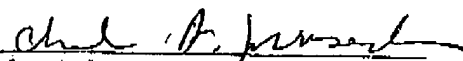
4/13/08

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and
Trademark Office on the date shown below.


Charles A. Muserlian #19,683

3-18-08

Serial No.: 09/646,763
Group: 1617

GEI-078

**NOTICE REQUIRING EXCESS CLAIMS
FEES**

Application No.

09/646,763

Applicant(s)

LANQUETIN ET AL.

Art Unit

3998

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The excess claim(s) filed on 11 March, 2008 is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of \$, or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid **ABANDONMENT**. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- ☐ 1. The funds in Deposit Account No. are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 2. The Credit Card payment to cover the entire fee due to Account (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☒ 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice.
- ☐ 4. The fee submitted in this application is insufficient. A balance of \$ is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- ☒ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due): A additional fee of \$590 is due for four months of extension.

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Technical Support Staff (TSS): JULIET MCMILLAN/ Phone Number: (571)272-1598

Note to TSS: Please do NOT use this notice if the application is under a final rejection.